

REMARKS/ARGUMENTS

**Rejection of claims 21-29, 31, 32, 40-44, 46, 48, 49, 54, 56, and 58 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out
5 and distinctly claim the subject matter which applicant regards as the invention.**

Claim 21 has been amended to recite that after forming initial layers of the dielectric material over the substrate, covering the exposed side portions of the wiring lines and on at least portions of the remaining portions of the cap layer, second gaps
10 are being defined by the initial layers between adjacent side portions of pairs of the wiring lines.

The above amendment is fully supported by the original disclosure, as Figs. 2-3 of the present invention clearly reveal that after the initial layers 38 are formed over
15 the exposed side portions of the wiring lines 24 and on at least portions of the remaining portions of the cap layer 28, second gaps are defined by the initial layers 38 between adjacent side portions of pairs of the wiring lines 24. Applicants submit that the amended claim 21 now clearly describe how the initial layers are formed and how second gaps can be formed between these single layers.

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Claim 40 has also been amended to provide proper antecedence for “the initial layers”.

Applicants submit that the above amendments now sufficiently overcome all the
25 rejections of claims 21-29, 31, 32, 40-44, 46, 48, 49, 54, 56, and 58 under 35 U.S.C. 112, second paragraph. Reconsideration of claims 21-29, 31, 32, 40-44, 46, 48, 49, 54, 56, and 58 is respectfully requested.

Applicant respectfully requests that a timely Notice of Allowance be issued in
30 this case.

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Sincerely yours,

/Winston Hsu/

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